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ABSTRACT

A study explored the quality of life of Latinos living in Dane County, Wisconsin. Data collection included door-to-door surveys, in-depth interviews, and analysis of government reports. Findings indicated Latinos often work in bad jobs, characterized by poverty-level wages, rare and inconsistent overtime pay, erratic and inflexible schedules, few health benefits, and dangerous working conditions. Because of the very real threat of losing their jobs, many Latino workers were not able to challenge exploitative working conditions and were afraid to take time off even in medical emergencies. Suspicion and discrimination affected every aspect. Whether it was the threat of being unjustly fired without warning, being treated differently than co-workers, or being stopped by the police, discrimination took its toll as jobs were lost, financial difficulties arose or worsened, safety and health were compromised, and quality of life deteriorated. "Going without" (whether referring to adequate money, housing, child care, government services, health care, or simply time to rest) was the reality for many Latinos. Issues could be grouped into these four general categories: immigration status and documentation; discrimination and racism; lack of knowledge of protective labor laws, legal processes, and enforcement agencies; and limited English ability and cultural misunderstanding. (Contains 28 data sources.) (YLB)

"Can't Afford to Lose a Bad Job"

Latino Workers in Dane County

Interfaith Coalition for Worker Justice
Latino Workers Project

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Report prepared by the
Center on Wisconsin Strategy,
UW-Madison
with the assistance of Luis
Carlos Arenas, Project
Coordinator

December 2001

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Latino Workers Project

Fact-Finding Delegation:

Jim Cavanaugh, President, South Central Federation of Labor
Lucia Muñoz, Executive Director, Centro Hispano of Dane County
Sister Teresa Ann Wolf, Director, Hispanic Ministry of the Catholic Diocese of Madison

Other Members:

Pedro Albiter, Labor Council for Latin American Advancement
Rev. Dick Blomker, Lake Edge Lutheran Church
Lauren Brown-Perry, Community Coordinator, Madison-area Urban Ministry
Orlando Canto, United Way of Dane County Board
Ed Daub, ICWJ
Rev. Rey Diaz, La Primera Iglesia Metodista Unida (Trinity United Methodist Church)
Jerry Folk, Executive Director, Wisconsin Council of Churches
Fabiola Hamden, Joining Forces for Families
Maria Hernandez, Administrator, Madison Area Technical College
Patrick Hickey, Organizer, Hotel Employees and Restaurant Employees (HERE)
Julie Kwiek, Staff Representative, Service Employees International Union Local 150
Bill Moyer, Business Manager, Painters Union Local 802
Ben Obregon, United Migrant Opportunity Services
Eliza Ortiz, Vice President, United Food and Commercial Workers Local 538
Rachel Rodriguez, Assistant Professor, University of Wisconsin School of Nursing
Jonathan Rosenblum, ICWJ
Michael Rosenblum, Community Outreach Director, Madison Jewish Community Council
Mark Thomas and Carl Aniel, AFSCME Local 171
Ray Wadinski, Organizer, Operating Engineers Union Local 139
Alfonso Zepeda-Capistrán, President, Latinos United for Change and Advancement
Bishop Sharon Zimmerman Rader, Wisconsin Conference of United Methodists

Dedication:

To all the Latino workers who generously shared their histories with us.

The names of individual workers have been changed or omitted in order to protect their confidentiality.

For additional copies of this report:

Contact the Interfaith Coalition for Worker Justice, P.O. Box 1104, Madison, WI 53701-1104, or call 608-246-4355. In order to find the report on the web as well as additional information, visit the website for the Interfaith Coalition for Worker Justice at www.workerjustice.org, or that of the Center on Wisconsin Strategy at www.cows.org.

Table of Contents

1. The Latino Workers Project.....1

Methodology	1
Background.....	2

2. Se habla español aquí... The Growth of the Latino Population in Dane County 3

Population Size	4
National Origin.....	4
Age	4
Latinos in School	4

3. "I will take any job." Exploitation, Low Wages, Unstable Work, and Poor Working Conditions.....6

Exploitation	6
Low wages.....	7
Unstable and Inflexible Work Schedules	8
Juggling Multiple Jobs	8
Pressure at Work: Más... y más rápido!	9
Dangerous Working Conditions	9
Fear of Reprisal	10

4. Euros and Criminals: Discrimination and an Environment of Suspicion.....11

Misuse of Social Security "No-Match" Letters	11
Racial Profiling at the University of Wisconsin-Madison	12
Blacklisting.....	13
Unequal Treatment of White and Latino Employees.....	13
Constant Harassment and Suspicion	14

Table of Contents Cont...

5. Going Without: Financial Strain, Limited Access to Services, and Declining Health ...15

Strained Monthly Budgets.....	15
High Rents and Crowded Homes.....	16
Affordable Fair Market Rents in Dane County.....	17
Spending Money.....	17
Lack of Safe and Affordable Child care	17
Lack of access to public services	19
Health Benefits	19
Little Sleep, lots of Stress	20
Even Worse Back Home	21

6. Findings and Recommendations.....22

Findings.....	22
Discussion	22
Recommendations	24

7. Sources 25

The Latino Workers Project	25
The Growth of the Latino Population in Dane County	25
Discrimination and an Environment of Suspicion	26
Going Without	26

Acknowledgments.....28

1. The Latino Workers Project

The Latino population is in the midst of dramatic growth in Dane County, more than doubling in size over the last 10 years. How are Latinos faring in the workplace and in the community? To fully answer this question, one needs to go beyond the available data and experience the real stories lived every day by Latino workers and their families.

We've done just that with *Can't Afford to Lose a Bad Job*, combining hard numbers with compelling individual narratives. We found that Latino workers suffer from low wages, poor benefits, inconsistent work, outright discrimination and suspicion, and lack of access to basic services that many of us take for granted. The result is a constant struggle to make ends meet, while at the same time supporting relatives in their countries of origin.

Generated from the widely recognized need to understand and assist the most disadvantaged workers, *Can't Afford to Lose a Bad Job* will hopefully serve as the groundwork for further research, as well as a call to action to improve the living and working conditions of Latinos in our community.

Methodology

Unsatisfied with the quality and depth of existing information about Latinos in Dane County, the Latino Workers Project designed a survey to be administered door-to-door. In two surveying sessions, roughly 40 community volunteers-most of whom spoke Spanish-surveyed 118 Latinos living in those neighborhoods with the highest concentration of Latinos in the county. Although we do not claim the survey sample to be representative of all Latinos living in Dane County, the survey data complement the other data sources in offering detailed information on a relatively large number of Latinos living in the area.

This report also utilizes data from the 2000 Census, the U.S. Department of Housing and Urban Development, the Wisconsin State Department of Health and Family Services, and similar official data sources (see the "Sources" section at the end of the report for a full listing).

Additionally, the Latino Workers Project conducted 20 in-depth, one-on-one interviews with Latino workers in Dane County. Care was taken to talk with those working in a variety of industries, including manufacturing, construction, agriculture, hospitality, and food and beverage, as well as others such as custodial services and temporary work. Although the resulting interviews are

"The community forum provided us firsthand testimony about how some unscrupulous employers will take advantage of workers who have language problems, or have questionable work status, or who simply do not understand basic worker rights in this country."

Jim Cavanaugh,
President, South
Central Federation of
Labor

not representative of all Latinos living in the county, their poignant stories bring life to the raw data provided by the survey and governmental sources, providing the insight needed to begin to understand the living conditions for Latino workers and their families. In order to protect the workers' confidentiality, their names have been changed or omitted throughout this report.

Finally, the Latino Workers Project assembled leaders from the religious, labor and Latino communities in Dane County to organize a public forum for community members to speak openly about the experiences of the Latino population. At this forum, compelling first-hand accounts about living and working conditions were heard from Latino workers, employers, union organizers, community leaders, and local service providers.

"The reason for forming this coalition is to try to track these problems down, document them and try to do something about it."

Alfonso Zepeda-Capistrán
President, Latinos
United for Change and
Advancement

Background

The Interfaith Coalition for Worker Justice of South Central Wisconsin (ICWJ), the local chapter of the National Interfaith Committee for Worker Justice, was formed in Madison in 1999. The ICWJ is a partnership between members of the religious and labor communities sharing a common interest in issues of justice in the workplace.

The Interfaith Coalition has served as an advocate for workers in Dane County since its inception. A common source of concern for members of the coalition has been, and continues to be, reports about experiences of discrimination and exploitation faced by Latino residents of Dane County. Last year, in an effort to address some of these reports and to determine the degree to which Latinos face discrimination and exploitation in Dane County, the coalition created the Latino Workers Project (LWP). ***Can't Afford to Lose a Bad Job*** is the product of the efforts of all those involved in the Latino Workers Project.

2. Se habla español aquí...

The Growth of the Latino Population In Dane County

For anyone living in Dane County, it's clear that the Latino population has grown significantly in recent years. Our social and cultural geography has changed and become richer and more diverse, with increasing numbers of Latino community centers, Spanish translation services, Mexican restaurants and grocery stores, specialty shops that sell Latino music and other imports, and businesses with signs that say: "Se habla español aquí."

Even a quick look at the most recent Census data reveals the dramatic changes underway:

- The Latino population in Dane County has more than doubled over the last ten years. According to the US Census 2000, the total count was 14,387, although the actual number could be significantly higher.
- Dane County is home to the third largest population of Latinos in the state, and while the percent is still small (3.4 percent as of last year), it will very likely continue to grow in the future and play an increasingly important role in our community.

As the Latino community continues to grow, the need for better and more detailed information will grow as well. Even at this point, however, it is clear that the Latino population in Dane County has some unique characteristics.

For example, it is a young population. From our survey, we found that Latinos in Dane County were 2½ times more likely to be between the ages of 18 and 34 as compared to county residents overall. It should come as no surprise, then, that Latinos also comprise a significant percentage of school-age children. This is especially true in Madison's elementary schools, where the percent of Latino students is more than double the Latino share of the county's population. Finally, and disturbingly, Latino students account for a greater proportion of low-income students in Dane County schools than one would expect on the basis of their population share.

Before continuing with specific numbers from the Census, it is worth emphasizing that most people agree that Census data very likely underestimate the true size of the Latino population (U.S. Census Bureau, 2001c). We found this to be true in our own research. A full one-third of those Latinos that participated in our survey and that had been residing in the United States during the 2000 Census did not fill out the Census form. The population figures that follow should therefore be seen as conservative estimates.

The Census divides race into the following categories: white, black, American Indian and Alaska Native, or Asian and Pacific Islander.

The Census then determines ethnicity, identifying those of Hispanic origin.

In this report, "white" will refer only to those of non-Hispanic origin, while "Latino" will refer to all respondents of Hispanic origin.

Population Size

- In 1990, Latinos comprised just 1.6 percent of Dane County's population. By 2000, that figure had more than doubled to 3.4 percent.
- In 2000, Dane County had 7.4 percent of Wisconsin's Latino population, the third largest share after Milwaukee and Racine Counties.

National Origin

- Nearly two-thirds (63 percent) of the Latino population in Dane County is Mexican. Puerto Ricans (8 percent) represent the second largest group.
- Between 1990 and 2000, Mexicans were the fastest growing group of Latinos in Dane County.

Age

- A full 75 percent of the Latinos that participated in our survey was between the ages of 18 and 34. This compares to 29 percent of the population of Dane County.
- In 1999 a full, 6.4 percent of the births in Dane County were attributed to Latinos, who comprised only 3.4 percent of the county's population in that year.

Latinos in the Schools

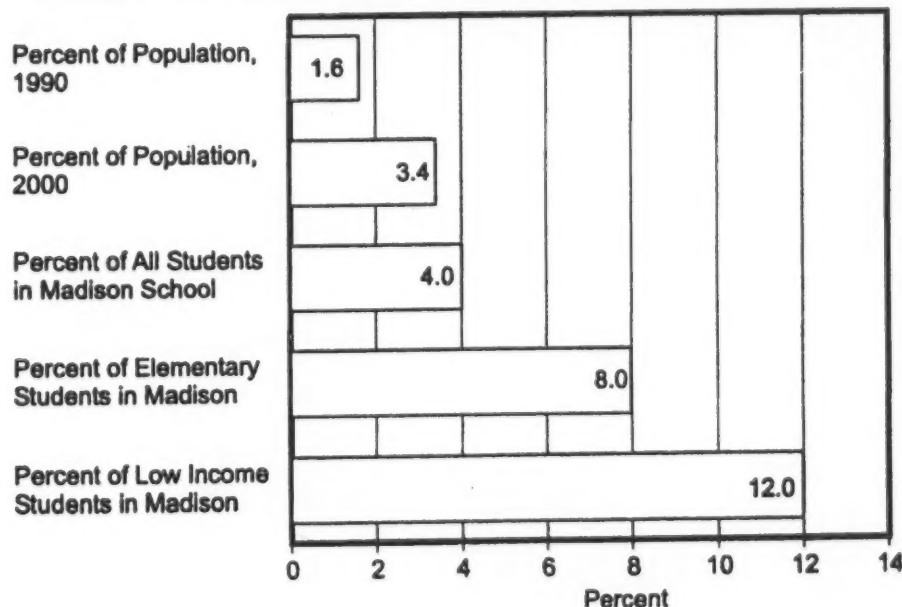
- During the 2000-2001 school year, 897 Latino children were enrolled in elementary schools in the Madison Metropolitan School District. This represented 8 percent of the entire elementary school population.
- During the same school year, 2,622 Latino students were enrolled in all levels of the Madison Metropolitan School District.
- Latino students accounted for 12 percent of low-income students in the Madison Metropolitan School District during the 1999-2000 school year.

The Growing Latino Population in Dane County

	1990		2000		Change, 1990-2000	
	Number	Percent	Number	Percent	Number	Percent
Total Population of Dane County	367,085	100%	426,526	100%	59,441	16.2%
Total Latino Population	5,774	1.6%	14,387	3.4%	8,643	150%
Composition of Latino Population						
Mexican	2,992	52%	9,040	63%	6,048	202%
Puerto Rican	585	10%	1,088	8%	503	86%
Other	2,167	38%	4,259	30%	2,092	97%

Source: U.S. Department of Census (2001a, 2001b).

Demographic Profile of Dane County's Latino Population



Source: See to the right.

For population numbers, see U.S. Census Bureau (2001a&b); for demographic data, see U.S. Census Bureau (2000a&b, 1990); for enrollment data, see Madison Metropolitan School District (2001) and Wisconsin Department of Public Instruction (2000a & 2000b); for birth data, see Wisconsin Department of Health and Family Services (1999).

3. "I will take any job:"

Exploitation, Low Wages, Unstable Work, and Poor Working Conditions

Manuel has three part-time jobs. Unable to find one full-time job that is paid well, he has found as much work as he can to make ends meet. His primary job is at a fast food restaurant where he works 23 hours a week, earning \$7.75 an hour. In his second job, Manuel works as a cashier in a dell 10 hours a week, earning \$8.00 an hour. For his third job, Manuel works intermittently as a translator and interpreter, earning \$9.50 an hour. Although he earns enough to pay the bills, he would gladly quit all three jobs if he were able to find one stable, full-time job. In the meantime, he continues to rush from one job to the next, coming up short on sleep, time to rest, and time to search for the kind of work he desires.

Manuel's story is not unique among Latinos living in Dane County. Although workforce participation rates are very high among Latinos (87 percent of the participants in our survey held at least one job), simply being employed does not ensure a high or even moderate standard of living. In fact, work is a source of constant stress for many Latinos, whose jobs are characterized by low wages, high pressure, hectic and unstable schedules, and poor working conditions.

Exploitation: A 1990s Type of Slavery

"I brought bags of groceries to Latino drywallers because they were not paid and had no food..."

I met Latinos who worked from sunrise to way past sunset seven days a week with no overtime...

One group used to sleep on the construction site during the nighttime...

It was a 1990s type of slavery."

"There are four of us Latinos and we feel we are treated unfairly. When we work more than eight hours, we only get paid one hour of overtime, no matter how many hours we worked. After the ninth hour, from the 10th hour on, we are paid at the regular rate. They say that those hours are being kept 'in a safe' for us, so that when work is slow or when it rains, we can get paid. This has been happening for months and we are owed many hours."

Poor working conditions are characteristic of many low-wage jobs, which Latinos disproportionately hold. However, in addition to poor job quality, Latinos often have to contend with further exploitation and discrimination. The above story is unfortunately not uncommon; in our interviews and surveys, we heard countless tales of exploitation, discrimination, and poor working conditions.

One of the most compelling stories of exploitation comes from the drywall industry. A local union organizer told us in his testimony that companies often divide large construction projects into sections and hire subcontractors to oversee each part. Subcontractors, in an effort to minimize costs, often hire a jefe. Although "jefe" literally means "boss" in Spanish, in this context, jefe refers to the English speaking Latino "middlemen" who find Latino workers to do the construction job. Jefes have considerable control over the

lives of the workers. In many cases, Jefes transport workers to and from the construction site, find places for them to sleep, and determine how much workers will earn on a job. Jefes get only one check from the subcontractor for the job, no matter how many workers there are. "There may be 4 or 40 Latinos on the job. Jefes, after keeping their share of the check, then decide how much money the workers will get."

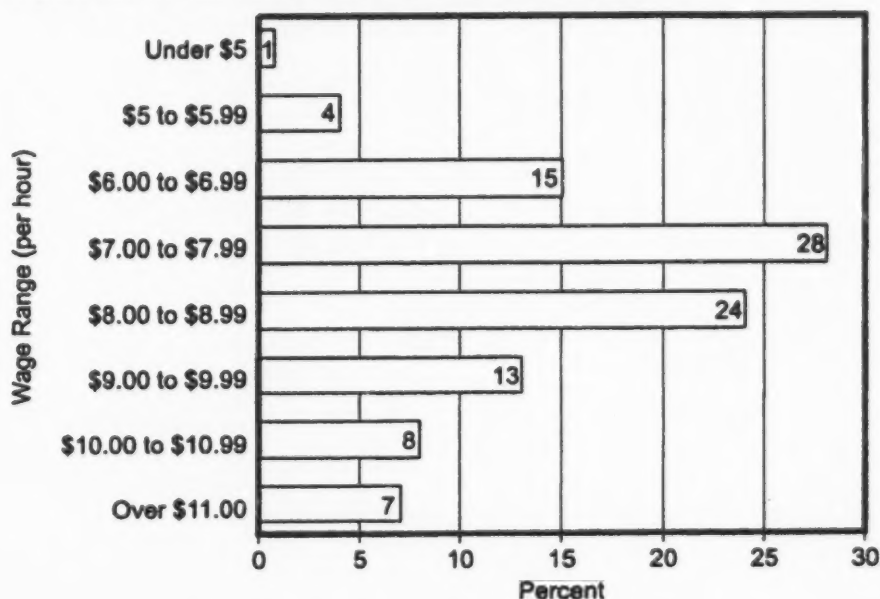
On one occasion, the union organizer personally brought bags of groceries to Latino workers on a construction site — they had not been paid and had no food. This is not uncommon: Latino construction workers often work from sunrise to well past sunset, seven days a week, with no overtime pay. The organizer also told the story of a group of Latinos from Milwaukee, who were driven to Madison for a job and slept on the construction site at night because they had nowhere else to go. "All of these workers wanted health insurance, pension, and a chance to make decent money... Something had to be done."

Low Wages: I Can't Afford to Lose Even a Bad Job

It should come as no surprise that exploitative work conditions are often accompanied by low wages. In fact, many Latinos in Dane County work in poverty level jobs. A poverty level job is defined as a full-time, year-round job that is insufficient to lift a family of four above the federal poverty line.

*"I will take any job,
lo que dios me diga"
(whatever God tells
me).*

Wages for Latino Workers in Dane County, 2001



Note: * Note: These numbers include all jobs held by respondents. Some respondents had more than one job.

Source: COWS' analysis of 2001 Latino Workers Project survey.

This amounts to a job that pays less than \$8.12 an hour. In our survey, 58 percent of the respondents' jobs were poverty wage jobs.

This means that many Latinos struggle to make ends meet every month. But few of the workers that we interviewed saw an alternative. "We have to work," said one Latino. "I will take any job, lo que dios me diga (whatever God tells me)," said another.

"If we needed to stay at home with a sick child or go to the doctor, we would have been fired immediately."

Unstable and Inflexible Work Schedules: We Need You, We Need You Not

Rafaela has a part-time job through a temp agency packing boxes for a large company. Originally the company hired her for two weeks. When the two weeks were up, she was let go. After a month without work the company called Rafaela and hired her full-time for another six months. Suddenly, without notice, she was told there was no more work for her. She went without work for another six weeks when the company called her again, offering her another job. Rafaela is currently working for the company, but her schedule always changes; 40 hours one week, much less the next. As a result, she is looking for another job.

A similar story was told by Pedro, whose workload and schedule at a local hotel were always changing, depending on the season and the occupancy of the hotel. When the hotel was full, Pedro would work 10- to 12-hour days, but most of the time he worked only four to six hours a day, which was not enough to make ends meet. In the end, Pedro left the hotel to find a job with stable and guaranteed hours.

The work schedules for Latinos in Dane County are often unstable as well as notoriously inflexible. If there is a conflict in scheduling — a doctor's appointment, a sick child — employers are often unwilling to let employees off. Oftentimes, workers must make the choice between losing their jobs and caring for their families. For example, one Latina reported: "When the INS made an appointment for me, I didn't receive permission to go." A union organizer that works with Latinos in the county observed: "Employers work Latinos like crazy when needed and send them home when not, so that, in essence, they are very much temporary and contingent workers."

Second jobs pay even less than those considered primary jobs.

Our survey of Latinos in Dane County found the median wage of the second job to be \$6.75, compared with \$8 an hour for the primary job.

Juggling Multiple Jobs: Not Enough Hours in the Day

Until recently, Rosa worked from 10:30 p.m. to 6:30 a.m. as a custodian cleaning classrooms and offices, earning \$8.68 an hour. She also worked at a food establishment eight hours a day, earning \$7.00 an hour. Additionally, Rosa worked as a janitor through a temp agency four hours a day. Between the three jobs, Rosa was working 20 hours a day and sleeping only three hours a night.

Margarita also worked the nightshift as a custodian 40 hours a week. After working all night, she would go to a factory, where she worked 40 hours a week during the day. In total, Margarita worked 80 hours a week, and slept only five hours a night.

Low-wages and unstable jobs drive many Latinos in Dane County to hold more than one job. As demonstrated above, accounts of juggling multiple jobs and maintaining hectic daily schedules were common in our interviews. In fact, our survey found one in five Latinos held more than one job.

Working multiple jobs can be extremely stressful and disruptive for the lives of workers and their families. For example, Manuela, who worked as a housekeeper in a local hotel, couldn't get enough hours at the hotel to make ends meet so she found a second job working evenings at a restaurant. As a result, her three daughters were left at home alone. If her daughters called in an emergency her boss would become very angry. Manuela felt that, between worrying about her children and working so many hours a day, she was often distracted from her job.

Pressure at Work: Más... y más rápido!

"When gringos come here, they don't last more than two days," observed a Latina housekeeper at a local hotel.

In our interviews with Latinos in Dane County, intense pressure to do more work, and to do it faster, was a common theme. For example, Luisa was one of only two laundresses for a 200-room hotel. Washing and folding the huge amount of laundry generated by a hotel of that size was an enormous responsibility, far greater than she and her co-worker could handle. She repeatedly asked her manager for more help, but her manager simply said that they would have to do it alone and if they did not like it they could go work somewhere else.

Alberta and Raúl, a young Latino couple, both worked as housekeepers at a hotel where they were constantly pressured to work faster and more efficiently. Cleaning 16 to 18 rooms a day, they were expected to spend only 15 minutes cleaning each room - which was very difficult to do for a room with two beds, a large bathroom, and many other amenities. As Raúl recounted, they hardly had time to wipe off the table, and yet "if only one strand of hair was left on the pillow," the consequences would be severe. "The managers were constantly on the backs of Latinos."

Dangerous Working Conditions: Prioritizing Work Over Health

Marcos had worked as a solderer at a large company for two and a half years when he broke one of his fingers on the job. Although the manager told

him to go a doctor, Marcos didn't go because he was afraid that he would lose his job. He continued to work despite his injury and the resulting pain. A few weeks after the injury the manager asked for his documents and, although there was nothing wrong with his paperwork, he was fired. Marcos feels betrayed because after working so hard and prioritizing his job over his physical health he was still fired. Now his finger looks terrible and will probably be permanently disfigured.

Almost one-third of the Latino participants in our survey sustained an injury while on the job and one in seven had health problems related to their work. For many, workplace injuries can have dire consequences. Since the majority of Latino workers do not have health insurance (60 percent statewide as well as in our Dane County survey), adequate medical treatment for injuries is simply out of reach.

"Latino workers at the restaurant were made to work harder; if they made even one complaint, the manager would fire them."

Fear of Reprisal: One Complaint & They'd be Fired

A group of housekeepers at a local hotel organized together and agreed to complain to management. These workers felt they were expected to clean an unreasonable number of rooms and were not given the proper supplies to do so. When the time came to complain, however, only three came forward and filed a formal complaint. The other workers did not complain because they were scared of losing their jobs. The three housekeepers who filed the complaint were immediately fired, and the working conditions at the hotel did not change.

Poor and dangerous working conditions are made worse by the fact that many Latino workers fear reprisal if they report an injury or complain about a situation. These fears are justified. Over and over again Latinos recounted being fired after sustaining injuries on the job, missing work for illness or pregnancy, or for calling attention to substandard workplace conditions.

In the case of on-the-job injuries, rather than provide due compensation, employers often simply fire the injured workers and replace them with other workers. Because Latinos are frequently not aware of their right to workers' compensation, they don't report their injuries — and this exacerbates the physical damage. In fact, almost a quarter of the Latinos in our survey who had been injured on the job did not report the incidents to management. Because of fear of reprisal, they were forced to choose between their much-needed jobs and their physical health.

In sum, Latinos in Dane County often work in bad jobs, characterized by poverty-level wages, rare and inconsistent overtime pay, erratic and inflexible schedules, few health benefits, and dangerous working conditions. But because of the very real threat of losing their jobs, many Latino workers are not able to challenge exploitative working conditions and are afraid to take time off even for medical emergencies.

4. Burros and Criminals: Discrimination and an Environment of Suspicion

Discrimination is a daily occurrence in the lives of many Latinos in Dane County, and it takes a wide variety of forms. In our interviews, we heard stories of workers being fired from their jobs for no good reason. Others spoke about being let go because their Social Security numbers did not "match," or about returning to work after an illness or maternity leave and finding that they had been fired while they were away. Stories also emerged about Latinos being treated differently from their co-workers, being denied promotions and raises, and being arbitrarily stopped by the police. Discrimination is a serious problem that Latinos in Dane County routinely face and that needs to be directly addressed.

Misuse of Social Security "No-Match" Letters: They Used my Social Security Number as an Excuse to Get Rid of Me

Rafaela had worked in a local restaurant for five years when she became very ill and was unable to work for several weeks. When she recovered she called the manager of the restaurant and asked when she should return to work. The manager fired her on the spot, claiming that she had been working illegally.

Many of the Latinos that we interviewed had lost multiple jobs because of Social Security "no-match" letters. A Social Security "no-match" letter is a notice from the Social Security Administration that indicates a disparity between the Social Security number that an employee has given her employer and an actual number. Such errors are fairly common, usually because of simple misspelling or miscopying, and the Social Security Administration often sends "no-match" letters in order to rectify the disparity.

According to John Trasviña, head of the Office of Special Counsel, U.S. Department of Justice, Civil Rights Division, who spoke at the public forum organized by the Latino Workers Project, immigrants are more likely than U.S. citizens to receive "no match" letters because of their names. This is because many Latinos follow the custom in many Spanish-speaking countries of using two last names or a hyphenated last name that includes both their father's surname and their mother's maiden name for formal documents, but using only their father's surname for informal purposes. Likewise, confusion arises with many Asians who list their surname first, followed by their first name.

"After three months of maternity leave, I returned to work at the hotel.

They refused to give me my job back, claiming that they had checked my Social Security number and found it to be false.

It's not fair. They promised me that I could return to work."

Employers cannot legally take Social Security "no-match" letters as proof of a worker's illegality. Furthermore, "no-match" letters cannot be used to threaten or terminate an employee. When an employer uses a "no-match" letter to fire an employee or report the employee to the INS, the employer is improperly and illegally acting as an agent of the INS.

Yet despite the fact that it is illegal, employers apparently use "no-match" letters to fire Latino workers quite frequently. Many of the Latinos whom we interviewed had themselves been fired, or knew someone who had been fired, because of a Social Security "no-match" letter. Sometimes this occurred when a worker returned to work after a short leave of absence (because of an injury or a sick child). Other Latinos were up for a promotion or a raise. In all such instances of "no-match" firing, the worker was not given a chance to correct the error in the Social Security number.

*"Two months after
being fired from UW,
I'm still unemployed.*

*I don't have money to
pay my rent.*

*The only reason that
I was fired was
because I am Latina."*

Racial Profiling at the University of Wisconsin-Madison: The Only Reason I was Fired was Because I'm Latina

A particularly egregious example of using mismatched Social Security numbers to discriminate against Latino workers occurred at the University of Wisconsin-Madison in Spring, 2001. An employee at the University decided to check the validity of the Social Security numbers of custodians with Latino sounding names who worked for the Physical Plant. Those workers whose Social Security numbers on file with the University did not match valid numbers on file with the Social Security Administration received a letter, dated March 8, 2001, threatening to terminate their employment if they did not provide new documentation indicating a valid Social Security number by April 9, 2001.

The union representing these workers pursued charges against the University with the U.S. Equal Employment Opportunity Commission. On September 18, the Commission issued the following determination: "There is reasonable cause to believe that there is a violation of Title VII [of the Civil Rights Act of 1964]. Specifically, the evidence gathered shows that in February 2001, the Respondent discriminated against Hispanic employees as a class by intentionally singling out employees with surnames that appeared to them to be 'un-American,' or 'foreign' for Social Security number checks. This targeting resulted in the termination of 28 Hispanic custodial workers... on April 9, 2001."

The question of whether these workers will receive any compensation for this violation of their civil rights is yet to be determined. What is known for sure at this time is that 28 workers have lost their jobs and, because of the immigration laws, are very unlikely to be reinstated.

Blacklisting: Personnel Is Telling these Places that I'm Illegal

Bernardo worked for the same employer for almost two years and never had problems with his Social Security number. He was injured on the job and after the accident was unable to perform simple tasks such as combing his hair or brushing his teeth. Bernardo was fired shortly after his accident because his Social Security number did not "match." Now, despite applying for a number of different jobs, Bernardo has been out of work for a month and a half. He recently found out that the personnel department at his old job, which he had cited as a work reference on his job applications, has been telling potential employers that he is illegal. "I think that this is unfair — that someone claims that I'm illegal. I have a right to a job. I pay taxes. I pay rent. I pay for a lot of things and, right now, I don't have work."

"I think that this is unfair — that someone claims that I'm illegal."

"I have a right to a job. I pay taxes. I pay rent. I pay for a lot of things and, right now, I don't have work."

Latino workers who are fired because of "no-match" letters often encounter difficulties in finding other jobs. They are assumed to be undocumented and this discriminatory assumption creates an environment of distrust that overshadows all Latino workers in Dane County.

In truth, however, many more Latinos are legal than illegal. According to a recent AFL-CIO report, eight out of 11 Latino workers in the United States are documented (AFL-CIO 2000). Despite having legal documents, however, these workers are frequently not aware of their rights both in and out of the workplace. As a result, when they are fired because of a "no-match" letter, they don't have the information or resources to protect their rights.

Unequal Treatment of White and Latino Employees: Latino Employees were Referred to as "Burros"

Pedro, a former dishwasher at a local hotel restaurant, recounted that the difference in management's treatment of white and Latino workers was painfully obvious. The white workers could hang out at the bar, eat food off the buffet, and joke with the managers. They were "friends." On the other hand, if any of the Latino employees stopped working for just a moment, they would be ordered to get back to work immediately.

In our one-on-one interviews with Latinos in Dane County, countless stories emerged of management's unequal treatment of whites and Latinos. This disparate treatment is revealed not only in lower wages and lack of overtime pay, but also in more indirect and insidious, everyday practices. Latinos frequently reported being ordered around and treated disrespectfully. At one hotel, the Latino housekeepers were referred to as "burros."

*"The police would
stop and arrest
Latinos for no
apparent reason.*

*These people were not
criminals.*

*They were simply on
their way to work."*

Constant Harassment and Suspicion: I was Treated like a Criminal

Pablo tells the story of when the police stopped him while he was driving to work. They immediately arrested him even though he had done nothing wrong. He was with his wife and children at the time, and the police took him away and left his family behind, in the car on the highway. Before taking him to the police station, the officers took money out of Pablo's wallet, claiming that he owed money for a fine. In truth, he did not owe any money. Pablo was taken to jail. When a Latino friend arrived to bail him out, he was also treated like a criminal. Pablo's friend had a cell phone in his pocket that the police claimed was a gun, and the police pulled out their guns "for protection," and aimed them at the friend.

Discrimination experienced by Latinos in Dane County extends beyond the workplace and into every part of their lives. In response to discriminatory harassment and suspicion, Latino service agencies, such as Contacto Latino, have been established. Contacto Latino provides job transportation services to Latinos because, according to a service provider at the center, police in Dane County have historically stopped Latino workers on their way to work and arrested them for no reason. "They were targeted only because they were Latinos. They were simply on their way to work, whether at the University, the hospital, local hotels, or the residence halls."

In sum, constant suspicion and discrimination affect every aspect of daily life for Latinos in Dane County. Whether it is the threat of being unjustly fired with no warning, being treated differently than co-workers, or being stopped by the police, discrimination takes its toll as jobs are lost, financial difficulties arise or are made worse, safety and health are compromised, and overall quality of life deteriorates.

5. Going Without: Financial Strain, Limited Access to Services, and Declining Health

Bad jobs, exploitative working conditions, and direct and indirect racial discrimination lead to a wide array of negative effects on the lives of Latinos in Dane County. These effects include financial difficulties, lack of decent and affordable housing, lack of health insurance and adequate health care, and lack of access to services such as child care and federal public benefits. All of these factors cause considerable stress and can lead to declining physical and mental health. The upshot, in many cases, is a severely circumscribed quality of life. Nonetheless, many Latino workers feel that they have to continue working and living in substandard conditions in order to support relatives abroad. As a result, "going without" has become the unfortunate reality for many Latino workers in Dane County.

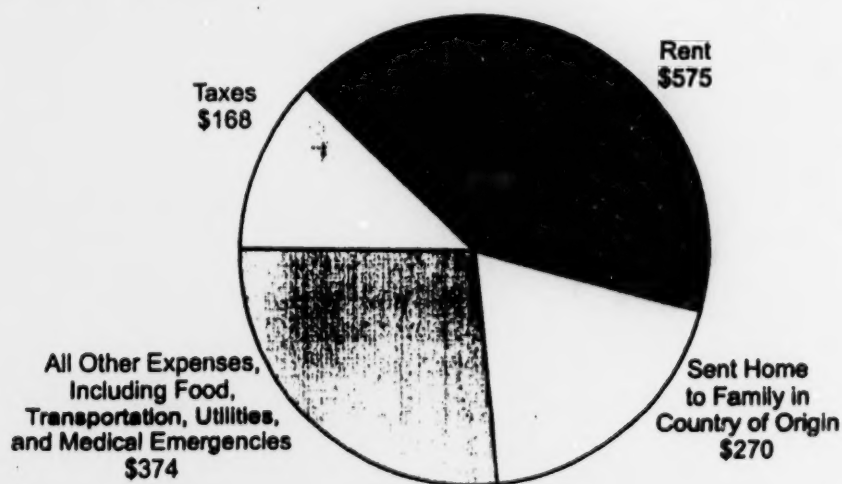
Strained Monthly Budgets

The average Latino surveyed for this project is 26 years old, has been in Dane County for two years, and lives in an apartment with at least three other people. He or she earns \$8 an hour and works 40 hours a week, earning about \$1,387 a month, or \$16,640 annually; taxes deduct \$168 a month. With a monthly rent payment of \$575 and \$270 sent to family members in Mexico, only \$374 is left over at the end of each month for all other expenses, including food, utilities, medical emergencies, transportation, and anything else that might arise.

The average Latino in our survey has only \$374 each month to pay for food, utilities, medical emergencies, transportation, and any other expenses that arise.

This means that costs such as child care and health insurance are out of reach for many Latinos in Dane County.

Monthly Budget Pie



Source: COWS' analysis of 2001 Latino Workers Project survey.

As a result, expenses such as child care and health insurance, which most people consider essential, are out of reach for many Latinos in Dane County. They are forced to choose between basic needs, and to accept substandard housing, inadequate child care, and insufficient food and health care.

High Rents and Crowded Homes

Housing is the biggest source of financial strain as Latinos in Dane County struggle to pay their bills each month. According to the U.S. Department of Housing and Urban Development, the fair market rent for a one-bedroom apartment in Madison in 2001 is \$559 a month. The national standard is that rent should be no more than a third of an individual's income. But for the average Latino worker in our survey (earning \$8 an hour or \$1,387 a month), a one-bedroom apartment at fair market prices accounts for over 40 percent of his monthly income. In fact, a resident of Dane County would have to earn \$22,360 a year, or \$10.75 an hour, in order to afford this apartment. Alternatively, the typical Latino worker in our survey, earning \$8 an hour, would have to work 54 hours a week to pay for the same apartment. The affordability gap is similar for two- and three-bedroom apartments.

Affordability of Fair Market Rent in Dane County

	One Bedroom	Two Bedroom	Three Bedroom
Fair Market Rent in Dane County, 2001	\$559	\$678	\$938
Work hours per week at minimum wage (\$5.15/hour) necessary to afford this rent	83	101	140
Hourly wage necessary to afford this rent	\$10.75	\$13.00	\$18.04
Annual income needed to afford this rent	\$22,360	\$27,040	\$37,520

Source: U.S. Department of Housing and Urban Development (2001).

Affordability of Fair Market Rents in Dane County

In order to afford high rents while working in low-wage jobs, many Latinos in Dane County share their apartments with other families and friends. As a result, an apartment officially considered a "one-bedroom unit" might house four or more people. This creates very crowded living conditions. Our survey corroborates that 68 percent of Latino respondents had at least four people living in their apartments. In addition to creating a substandard living environment, crowded living conditions may cause landlords to evict Latino tenants, because of violations of the number of people authorized to live in a single unit.

Sending Money Home

In addition to earning low wages and paying high rents, Latinos often send a significant portion of their low earnings to their families in other countries. In our survey, 84 percent of the respondents reported that they regularly send money to their families in another country. The average amount that each respondent sent to relatives last year was \$3,252, or about 20 percent of their yearly earnings. This is not an insignificant amount of money for these workers, the majority of whom (58 percent) are earning below the federal poverty wage of \$8.12 an hour.

Latinos take an additional financial hit because there can be very high fees for sending money abroad, ranging between 10 and 25 percent of the dollar amount per transaction. Moreover, their families often have to pay an additional amount in order to receive the money at the other end. As a result, a chain of middlemen takes a significant portion of the hard-earned money that many Latinos struggle to send home every month.

Lack of Safe and Affordable Child Care

Like adequate and affordable housing, safe and affordable child care is often out of reach for Latinos because of low wages and the high cost of child care. Recall that after rent, taxes, and sending money to their families abroad, the average Latino in our survey had only \$374 left each month. This amount must pay for food, utilities, medical care, transportation, and other necessities.

In Madison in 1999, the average monthly cost of child care for a child under the age of one was \$750 a month; for a toddler between the ages of one and two, the cost was \$725. For two young children (a preschooler and a toddler), the cost of child care was \$1,366 a month (Conniff 2000). Given their low wages, many Latinos simply cannot afford to pay these rates.

Although Dane County provides subsidies for child care to low-income families, many Latino families do not apply for them. According to a study

One Latina regularly sends money to her family in Mexico. But she was recently fired from her job as a custodian.

She is pregnant and doesn't have health insurance, and is desperately looking for some kind of support to cover the bills for the birth of her baby.

After being fired from her job as a dishwasher because she missed work when she had the chicken pox, one Latina's family is saddled with bills.

Her youngest child has to live with her aunt in Chicago because she cannot afford to care for her.

at the University of Wisconsin-Madison conducted in February 2000, of the 1,642 parents that received child care subsidies in Dane County, only 44 were Latinos, representing just 2.7 percent of the subsidy recipients (Berger 2000). This is for a population that accounts for a full 12 percent of low-income students in Madison schools.

There are several reasons why so few Latinos receive child care subsidies in Dane County. For example, in the state of Wisconsin, subsidies are based on the legal status of the parents and not the nationality of the child; this means that undocumented Latinos with American-born children are ineligible. The majority of Latinos in Dane County do have legal documents and would very likely qualify for the subsidies, given their low wages. But often the parents do not know about the subsidy program, do not understand the application form or application process, or assume that they are ineligible. There is also the issue of access. Licensed and accredited child care is usually available in the more affluent areas of Dane County, but in some of the low-income areas in which many Latinos live, there are very few registered family child care providers, no licensed child care centers, and no accredited care providers (Conniff 2000).

Finally, language and cultural differences also pose barriers to adequate child care, since few Latinos are certified child care providers, and Latino parents may not be able to communicate with the child care provider or feel comfortable leaving their children with someone from a different culture. Child care providers, in order to receive services and support from state and other types of agencies, must be legally certified. Many Latinos — because of significant costs, English language requirements, and legal requirements — are unable to become certified child care providers. As a result, very few of Dane County's certified child care providers are Latinos.

The upshot is that instead of using established child care facilities, Latino families tend to use informal networks comprised of family members and neighbors to care for their children. Some Latino families also try to coordinate their work schedules so that one adult will be home to care for the children at all times. This can be difficult, however, as most low-wage jobs do not allow the employees to set their own schedules.

Informal child care networks in the Latino community are extensive and well-established, but there are many cracks in the system and sometimes they prove to be tragic. As told by an employee at Community Coordinated Child Care (4C), the resource and referral agency for child care providers in Dane County, the lack of formal child care and work schedule flexibility had devastating effects for one Latina hotel housekeeper in Madison. A friend that cared for the housekeeper's two-year-old child was unable to do so one day. Her manager refused to let her stay home to care for her child, so the woman was forced to bring her child to work. When she arrived at the hotel she put the child in a room and went to find the manager in order to ask for permission to keep the child with her while she worked. During that time the child went to the swimming pool and drowned.

A friend that cared for a Latina housekeeper's two-year-old child was unable to do so one day. Her manager refused to let her stay home to care for her child, so that she was forced to bring her child to work.

When she arrived at the hotel, she put the child in a room and went to find the manager in order to ask for permission to keep the child with her while she worked.

During that time, the child went to the swimming pool and drowned.

Lack of Access to Public Services

In addition to private services like child care, there are also a number of public services that are often unavailable to Latinos, including Medicaid, Food Stamps, Supplemental Security Income (SSI), and Temporary Assistance for Needy Families (TANF) (Center for Public Policy Priorities 2000). The barriers here are much like the ones already discussed: documentation requirements and lack of knowledge about the services and how to go about obtaining them.

An added problem is that Latinos may fear that applying for public services such as Food Stamps or Medicaid could lead to deportation. This fear is understandable in light of a number of recent state laws. In California, for example, voters adopted "Proposition 187," which denied the most basic services, including education, health and social services, to anyone suspected of not being a citizen or legal resident (ACLU 1997).

Even when Latinos have the right to receive public services, they may not have recourse to take legal action if their rights are violated. For example, the Illegal Immigration Reform and Immigrant Responsibility Act adopted in 1996 excludes immigrants from challenging abusive practices and policies of the Immigration and Naturalization Service in court (ACLU 1997).

Health Benefits: Few and Far Between

Many Latinos in Dane County do not have health insurance, either because of its high cost or because their employer does not offer it. In fact, fully 60 percent of the participants in our survey did not have any medical coverage. The number for the state of Wisconsin is the same, with only 41 percent of Latino workers having medical coverage in late 1999 (Center on Wisconsin Strategy 2001).

The problem, first and foremost, is cost. Medical coverage, if it's even offered, can cost a worker \$100 per month for himself and an additional \$400 per month for family members. For those earning \$8 per hour, this is not an option, and so many workers go without. As a consequence, the health of Latino families suffers.

According to the 1998 Wisconsin Family Health Survey, the Latino community had the lowest percentage of its population seen by a doctor in the previous year (79 percent), relative to all other ethnic groups in Dane County. Furthermore, only about half of the Latino population had a physical exam, compared with 59 percent of non-Hispanic whites and 74 percent of African Americans (Department of Health and Family Services 1999).

The lack of health insurance was a prevalent theme in our worker interviews. Luisa, for example, used to have medical and dental coverage through her

Gabriela always has a lot of difficulties when her Mexican-born child gets sick or has dental problems, since she doesn't have any health insurance.

Only her US-born children have the right to a medical card.

husband's job, but he was laid off and they both lost their insurance. Now she is unable to get treatment for a back injury she sustained while working as a janitor at the University. She also had severe dental problems that cost her \$1900. The insurance company initially promised to pay half of the bill, since she was covered at the time, but now refuses to pay.

For Latinos in the state as a whole, dental insurance and dental care is scarce. According to the 1998 Wisconsin Family Health Survey, only 53 percent of Latinos living in Wisconsin had visited a dentist in the previous year. This was the least of any ethnic group in Wisconsin, significantly less than the 75 percent of whites and 67 percent of African Americans that had received dental care (Department of Health and Family Services 1999).

Because most do not have dental insurance, Latinos in Dane County are increasingly turning to clinics for care. There is only one clinic in the county that offers free dental services to the uninsured. Last year, Latinos comprised fully 40 percent of the clinic's patients; by contrast, whites accounted for only one-third and African Americans for one-quarter. The number of Latinos attending this clinic increased more than 55 percent between 1999 and 2000 (Madison Department of Public Health 2001).

Without insurance, the health of Latinos and their families suffers. And when their families' health suffers, Latinos' jobs are put in jeopardy. As one couple reports: "If we needed to stay home with a sick child or go to the doctor, we would have been fired immediately." As a consequence, Latinos are forced to make the impossible choice between the well being of their families and the jobs that are essential to their survival.

As a social worker for Dane County observed, "There are many Latinos working endless hours and not getting enough rest. This is something that we always hear, but because of the lack of resources, there isn't much we can do."

Little Sleep, Lots of Stress

The on-going stress of trying to make ends meet and managing hectic daily schedules, the lack of sleep due to working multiple jobs and taking care of families, the fundamental sense of insecurity because of on-going discrimination and the constant fear of deportation — these factors have a cumulative effect and have the potential to significantly decrease the quality of life for many Latinos.

For example, one Latina we interviewed worked three jobs, 20 hours a day, sleeping only three hours a night. She has no health insurance and sends as much money as possible to her three children and husband in Mexico. In fact, since she came to the U.S. seven months ago, she has already been able to send \$1000 home.

Despite the evidence of the difficulties that many Latinos face, as one social worker observed, "there isn't much we can do." As a result, "going without" — whether referring to adequate money, housing, child care, government services, health care, or simply time to rest — is the unfortunate reality for many Latinos in Dane County.

Even Worse Back Home: The New Wave of Immigrants

After learning about the difficult working conditions that many Latinos face in Dane County, one might wonder why they continue to live here. Like all newcomers in our nation's long history of immigration, Latinos come to the United States searching for a better life for themselves and their families. However, since the passage of the North American Free Trade Agreement (NAFTA) in 1994, this search has become almost a necessity for many Mexicans, particularly small farmers who have been displaced by large, highly mechanized agribusinesses.

The passage of NAFTA has had wide ranging negative effects on the Mexican economy. According to an article in *The Nation* (January 22, 2001), the Mexican government has documented the loss of more than a million jobs in 1995 alone. That year's peso devaluation cut the standard of living in half for most workers. According to Mexican economist and Congressman Carlos Heredia Zubleta (2000), the minimum wage in Mexico is currently about \$4 a day — 13 times less than that of jobs just across the border. About 92 percent of Mexican households have a monthly income under \$500, unemployment has soared and, with recent devaluations of the peso, purchasing power has dropped by a full 76 percent. It is not surprising, then, that there has been a rapid increase in the number of workers crossing the border into the United States since 1994.

Because of the dire situation back home, many Mexican immigrants that we interviewed said that they felt they had to stay in the U.S. — that their relatives in Mexico are depending on them. The money sent home by immigrants working in the United States, as documented above, is not an insubstantial amount, despite their low wages. In fact, Heredia Zubleta estimated that more than \$8 billion a year is sent by Mexican and Central American workers in the U.S. to their families south of the border — income that, according to Heredia Zubleta, can make a significant difference in their families' survival.

In sum, the lives of many Latinos in Dane County are severely circumscribed by financial difficulties, inadequate housing, and limited access to important services such as child care and federal public benefits. These factors create considerable stress in their lives, and can lead to a decline in physical and mental health. Yet many Latinos feel that they have to continue working and living in substandard conditions in order to support relatives abroad. As a result, "going without" has become the unfortunate reality for many Latino workers in Dane County.

6. Findings & Recommendations

Findings

Door-to-door surveys, in-depth interviews, and analysis of government reports have led the Latino Workers Project's Fact-Finding Delegation to make the following conclusions about the quality of life of many Latinos living in Dane County, as outlined earlier in this report:

- Latinos in Dane County often work in bad jobs, characterized by poverty-level wages, rare and inconsistent overtime pay, erratic and inflexible schedules, few health benefits, and dangerous working conditions. But because of the very real threat of losing their jobs, many Latino workers are not able to challenge exploitative working conditions and are afraid to take time off even in medical emergencies.
- Suspicion and discrimination affect every aspect of daily life for Latinos in Dane County. Whether it is the threat of being unjustly fired without warning, being treated differently than co-workers, or being stopped by the police, discrimination takes its toll as jobs are lost, financial difficulties arise or are made worse, safety and health are compromised, and overall quality of life deteriorates.
- "Going without" — whether referring to adequate money, housing, child care, government services, health care, or simply time to rest — is the unfortunate reality for many Latinos in Dane County.

Discussion

As the Latino Workers Project's Fact-Finding Delegation sorted through all the information that had been collected, it became clear that the many issues Latino workers in Dane County face could be grouped into one of four general categories: immigration status and documentation; discrimination and racism; the lack of knowledge of protective labor laws, legal processes and enforcement agencies; as well as limited English ability and cultural misunderstanding.

Immigration status, and lack of legal documents in particular, is a critical issue for some Latinos in Dane County, and many nationwide. There are an estimated 7 to 11 million undocumented workers in the United States. These workers have spread beyond the large cities and have become essential parts of the workforce throughout the nation. Both Madison and Dane County, in the context of record rates of low unemployment, have seen a dramatic increase in the number of undocumented workers,

especially in the service sector. Laws enacted in an effort to reduce illegal immigration have been largely unsuccessful, and primarily serve to stifle the legitimate grievances of undocumented workers.

As a result, undocumented workers are in a position in which protesting dangerous or exploitative working conditions is a very risky proposition. Even those with proper immigration documents are in constant fear of being harassed, detained, or deported by police and the INS, and some employers use this fear to treat immigrant workers in ways they wouldn't even consider treating other workers. Therefore, the delegation recommends legislation that would allow undocumented workers living in the United States to adjust their status to live and work here legally, without such status being tied to or dependent upon their employer or any particular job.

Discrimination and racism are additional barriers confronted by Latinos in Dane County. Whether it is racial profiling by the UW-Madison Physical Plant or unwarranted police stops, Latinos are often the victims of negative stereotyping because of the color of their skin, their surnames or their accents. Workers reported examples of unequal workloads, lack of promotion opportunities and verbal and physical abuse. Many undocumented workers are afraid to draw attention to discrimination. Many immigrants also are not aware of their rights and the procedures for enforcing those rights. Access to and knowledge of the State and Federal protections against discrimination are essential if Latinos are to gain equity in the workplace.

Furthermore, it's clear that many Latino workers need better knowledge of their workplace rights. Even though many important community organizations — such as Centro Hispano, Centro Guadalupe, and Joining Forces for Families — are making serious efforts to address these and many other issues, a new community resource is needed to specifically address employment issues, since so many of the problems that immigrants face are rooted in the workplace. In other parts of the United States, models exist for helping low-wage workers deal with on-the-job problems. These models are generically referred to as "Workers' Centers." The delegation recommends the establishment of a bilingual or multilingual Workers' Center for Latinos in Madison to train and provide services to low-wage workers, particularly immigrants, as well as those without jobs.

Lack of knowledge about and access to public services have had a wide array of negative effects for many Latinos in Dane County. Many are simply not aware that the U.S., perhaps unlike their country of origin, offers public assistance programs such as Medicaid, Food Stamps, and Earned Income Tax Credits. Thus, the delegation also recommends that the Workers' Center provide information on and access to legal services, financial counseling, translation and other services not readily available to low-income workers, as determined necessary by the workers themselves. Furthermore, in order to promote community development, the delegation recommends that the Workers' Center provide training in grassroots leadership and community organizing skills.

Laws enacted in an effort to reduce illegal immigration have been largely unsuccessful, and primarily serve to stifle the legitimate grievances of undocumented workers... and some employers use this fear to treat immigrant workers in ways they wouldn't even consider treating other workers.

Finally, it is evident that limited English speaking ability can have negative — and sometimes tragic — consequences, including misunderstanding a sign warning of hazardous materials, a co-worker explaining the lockout device on dangerous machinery, the process for filing an unemployment or workers' compensation claim, or the signs that every employer must post that explain federal regulations on the minimum wage and overtime work, as well as federal occupational health and safety standards. As a result, the delegation recommends that the Workers' Center also include a range of education and training programs, including employment discrimination, sexual harassment, wage and hour claims, workers' compensation, occupational safety and health, and unemployment compensation.

Recommendations

1. The establishment of a Workers' Center for Latinos that would provide low-wage workers, as well as those without jobs, with the following training and services:
 - Education and training in workers' rights, including employment discrimination, sexual harassment, wage and hour claims, workers' compensation, occupational safety and health, and unemployment compensation.
 - Training in grassroots leadership, community organizing and access to government agencies that provide bilingual support and assistance.
 - Access to legal services, financial counseling, translation and other services not readily available to low-income workers, as determined necessary by the workers themselves.
2. Legislation that would allow undocumented immigrant workers residing in the United States to live and work here legally, without such status being tied to or dependent upon their employer or any particular job. While such legislation would need to be introduced at the federal government level, advocacy needs to begin at the local level.

In conclusion, it may sound overly simplified to boil down the many and complex issues that Latino workers face into just two straightforward recommendations. Although the Fact Finding Delegation understands that neither the issues nor the solutions are simple or easily attained, we maintain that both a center dedicated to workplace issues and legislation to legalize undocumented immigrants are necessary and would significantly benefit many Latino workers in Dane County. We hope that ***Can't Afford to Lose a Bad Job*** will serve as the groundwork for further research on low-wage as well as professional Latino workers — and as a call to action to improve the living and working conditions of Latinos in our community.

7. Sources

Throughout the report, we draw on the original data collected by the Latino Workers Project: the door-to-door surveys and in-depth interviews with Latino workers and families in Dane County and testimony presented at the public forum, as described in the first section of the report, "The Latino Workers Project." Several chapters also draw on additional data sources, described below.

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Project Chairperson and ICWJ Representative: Leila Pine

Project Coordinator: Luis Carlos Arenas

Latino Workers Project Task Force:

Leila Pine (Chair), Alfonso Zepeda-Capistrán, David Duran, Rachel Rodriguez, Jim Cavanaugh, Patrick Hickey, Sheila Przesmicki, Mary McEniry, Ramona Natera, Jonathan Rosenblum, Maria Flores, Susan Munkres, Ed Daub, and Susan Becker.

Research and Data Committee Members:

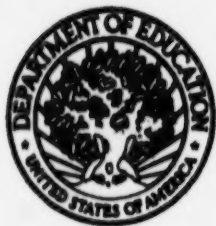
David Duran (Chair), Rachel Rodriguez, Laura Dresser, Gladis Benavides, Katie Paul, Doris P. Slesinger, Linda Baumann, Alfonso Zepeda-Capistrán, Erin Hatton, Bernice Owen, Sandra Magaña, Ed Daub, and Mary McEniry.

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Organization/Address: Center on WI Strategy UW, Madison 1160 Observatory Dr.	Telephone: (608) 263-0819 Fax: (608) 262-9046 E-Mail Address: mdavide@cowi.org Date: 3/19/02

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